

MEMORIAL RESOLUTIONS

S.R. 302 - by Snelson: Memorial resolution for Ray W. Hodge.

S.R. 307 - by Schwartz: Memorial resolution for Mrs. Helen Nichols Porter.

S.R. 308 - by Schwartz: Memorial resolution for Walter F. Remschel, Jr.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 299 - by Doggett: Extending welcome to Reverend Floyd L. Vick.

S.R. 301 - by Adams: Extending congratulations to John Lee Kent.

S.R. 303 - by Snelson: Extending congratulations to Future Farmers of America Chapter of Fredericksburg High School.

S.R. 304 - by Parker: Extending congratulations to Beaumont Hebert Panthers.

S.R. 305 - by Parker: Extending congratulations to Barbers Hill Eagles.

S.R. 306 - by Schwartz: Extending congratulations to John Clouser.

S.R. 309 - by Ogg: Extending congratulations to Mel Tillis.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:12 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX**Sent to Governor**

(March 7, 1977)

S.C.R. 51

S.B. 109

S.B. 391

THIRTY-FIRST DAY

(Tuesday, March 8, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

A quorum was announced present.

The Reverend Dr. John Barclay, Pastor Emeritus, Central Christian Church, Austin, Texas, offered the invocation as follows:

Eternal God, Our Father, we pause to acknowledge Thy presence and thank Thee for it.

We pray for the President of the United States, his cabinet, the Vice-President, the Congress and the courts.

We pray for the Governor, the Legislature, and for all the men and women whom we have elected to lead us; may they do so with high intelligence and real courage. May today and every day in the Legislature be a time of creative and productive accomplishment.

We thank Thee, Our Father, that when disasters strike anywhere in the world, as now in Romania, our people and our government quickly and generously furnish aid.

Give us the vision and the motivation to think globally and to feel a kinship to all Thy children. We pray in Jesus' Name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORT OF STANDING COMMITTEE

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 656 (Amended)

S.B. 657

S.B. 658

C.S.S.B. 89 (Read first time)

MESSAGE FROM THE HOUSE

House Chamber
March 8, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 83. In memory of James Cullen Looney, father of Representative Cullen Looney.

H.C.R. 85, In memory of Vaughan Watkins "Boo" McLeod, father of Representative E. Douglas McLeod.

H.C.R. 42, Granting permission to Texas YMCA Youth and Government Program to use the House and Senate Chambers from March 24 to March 26, 1977 and March 30 to April 1, 1978.

H.B. 149, A bill to be entitled An Act providing that the parties to administrative proceedings may file exceptions and replies to proposals for administrative decisions; that proposals for administrative decisions may be amended pursuant to the exceptions and replies of the parties; amending Article 6252-13a, Revised Civil Statutes; and declaring an emergency.

H.B. 34, A bill to be entitled An Act relating to county regulation of individuals who administer massages and establishments where massages are administered; prescribing penalties; providing a severability clause; and declaring an emergency.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

S.B. 833 by Jones of Harris Intergovernmental Relations
Relating to the term of office of Judge of the Probate Court No. 2 of Harris County, Texas; amending Section 9, Chapter 712, Acts of the 60th Legislature, Regular Session, 1967, (Article 1970-110a.2., Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 834 by Jones of Harris State Affairs
Relating to runoff elections in cities and towns over 200,000; amending Section 1, Article 81, Texas Election Code, as amended (Article 7.16, Vernon's Texas Election Code); and declaring an emergency.

S.B. 835 by Schwartz Intergovernmental Relations
Relating to the establishment of auxiliary courts outside the county seat for nonjury proceedings.

S.B. 836 by Brooks Human Resources
Relating to the blind, the visually handicapped, and the otherwise physically handicapped; amending the policy of the state; and forbidding housing discrimination; amending Sections 1, 2, and 3, Chapter 416, Acts of the 61st Legislature, 1969, as amended, (Article 4419e, Vernon's Texas Civil Statutes).

S.B. 837 by McKnight State Affairs
Relating to family practice residency training conducted by the Texas Board of Health Resources.

S.B. 838 by Ogg State Affairs

Relating to the contest of primary elections; amending Section 208, Texas Election Code, as amended (Article 13.30, Vernon's Texas Election Code).

S.B. 839 by Harris

State Affairs

Relating to private clubs operated under the pool system of storing alcoholic beverages; amending Paragraph (c) and repealing Paragraphs (c-1) and (c-2), Subsection 1, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15e, Vernon's Texas Penal Auxiliary Laws).

S.B. 840 by Schwartz

State Affairs

Amending Chapter 3, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 717k-2, Vernon's Texas Civil Statutes, as amended), relating to interest rates on public securities; fixing a maximum interest rate for public securities; providing for the calculation of net effective interest rate on public securities; enacting other provisions related to the subject; and declaring an emergency.

S.B. 841 by Mauzy

Education

Relating to the establishment of an apprenticeship system of adult vocational education to train craftsmen; amending the Texas Education Code by adding Chapter 33.

S.B. 842 by Parker

Economic Development

Relating to the arbitration of disputes between an employer and employees operating under a collective-bargaining agreement; repealing Articles 239 through 249 of the Revised Civil Statutes of Texas, 1925.

S.B. 843 by Parker

Human Resources

Relating to state financial assistance to local public agencies or nonprofit corporations that operate programs to recruit retired persons to perform volunteer community services; amending Chapter 320, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 695k, Vernon's Texas Civil Statutes), by adding Section 6a.

S.B. 844 by Santiesteban

Intergovernmental Relations

Relating to a court administrator system for county courts at law in certain counties.

S.B. 845 by Santiesteban

Intergovernmental Relations

Relating to the compensation of county attorneys; amending Chapter 622, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 3912k, Vernon's Texas Civil Statutes), by adding Section 1a.

S.B. 846 by Longoria

Intergovernmental Relations

Relating to the authority of certain cities to undertake and finance certain improvements.

S.B. 847 by Truan

Education

Relating to the election of the members of the board of trustees of the Corpus Christi Independent School District; amending Section 6, Chapter 34, Special Laws, Acts of the 31st Legislature, Regular Session, 1909, as amended.

S.B. 848 by Truan

Finance

Making supplemental appropriations to Texas A&I University at Kingsville and Texas A&I University at Corpus Christi.

S.B. 849 by Williams, Ogg, Brooks, Intergovernmental Relations
Mengden, Jones of Harris

Relating to the duties of the presiding judge of municipal courts of record in any city with a population of more than One Million Two Hundred Thousand, as determined by the last preceding federal census; amending Section 3(d), Chapter 489, Acts of 64th Legislature, Regular Session, 1975 (Article 1200cc, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 850 by Snelson State Affairs

Relating to the issuance of voter registration certificates, providing for postage pre-paid voter registration applications to be made available by the secretary of state and providing a procedure whereby certain persons deleted from the registration lists may vote on certain election dates; amending Sections 45a, 45b, 46a, 48a, 50a, 51a, 51b, 60, 90, 113, 197 and 199, Texas Election Code, as amended (Articles 5.13a, 5.13b, 5.14a, 5.16a, 5.18a, 5.19a, 5.19b, 6.05, 8.08, 8.31, 13.19 and 13.21, Vernon's Texas Election Code).

S.B. 851 by Jones of Taylor Human Resources

Relating to the renewal, reissuance, amendment and display of licenses to practice podiatry; amending Article 4571, Revised Civil Statutes of Texas, 1925, as amended; repealing Section 10, Chapter 266, Acts of the 63rd Legislature, Regular Session, 1973 (codified as Article 4571a, V.T.C.S.); repealing laws in conflict; and declaring an emergency.

S.B. 852 by Jones of Taylor Economic Development

Relating to the errors and omissions policy required for qualifying a corporation to be issued a license as a local recording agent; amending Section 3, Article 21.14, Insurance Code, as amended; and declaring an emergency.

S.B. 853 by Sherman Intergovernmental Relations

Relating to the creation of the constitutional office of Criminal District Attorney of Ochiltree County; abolishing the office of County Attorney of Ochiltree County; and conforming the jurisdiction of the District Attorney of the 84th Judicial District.

S.B. 854 by Sherman Intergovernmental Relations

Relating to representation of the state in the district court in Castro County, and the office of District Attorney of the 64th Judicial District.

S.B. 855 by Mengden Natural Resources

Relating to the fee for a nonresident hunting license; amending Section 42.014, Parks and Wildlife Code.

S.B. 856 by Mengden Education

Relating to the admission of foreign students to public institutions of higher education; adding Section 51.907 to Chapter 51 of the Texas Education Code.

S.B. 857 by Jones of Harris Economic Development

Relating to financial records and reports of non-profit corporations; providing a penalty; adding Article 2.23A to the Texas Non-Profit Corporation Act, as amended (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes).

S.B. 858 by Mauzy

Jurisprudence

Relating to workmen's compensation; providing for maximum and minimum weekly workmen's compensation benefits; amending Section 29 of Article 8306, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

S.B. 859 by Moore

State Affairs

Relating to the Employees Retirement System of Texas, amending Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), as follows: adding a new subdivision 6 to Subsection E, Section 5, providing death benefit annuities for certain survivors of deceased members eligible for retirement; amending Section 5-1, relating to calculation and payment of annuities to employees and appointive officers, relating to the payment of death benefits, and relating to payment of insurance premiums for retired officers and employees; amending Subsection A, Section 8, relating to State contribution rates; providing an effective date; and declaring an emergency.

S.B. 861 by Brooks

Education

Relating to the financing of public school education; amending various provisions of the Texas Education Code, as amended, as follows: amending Section 16.052, relating to the operation of schools; amending Section 16.056(a), relating to personnel unit values; amending Section 16.056(b), relating to the class titles, description of positions assigned to class titles, and required preparation and education; amending Section 16.102(a), relating to the allocation of personnel units in the regular program; amending Section 16.102(d), relating to personnel unit allotment for districts with less than 1,000 ADA in the regular program; amending Section 16.151, relating to operating cost allotment; repealing Section 16.176, relating to support for educationally disadvantaged; amending Section 16.177(c), relating to financing a driver education program; amending Section 16.206(c)(g)(i), relating to allowable total base cost of transportation; amending Section 16.301, relating to equalization aid for program enrichment; amending Section 16.302(a), relating to determination of equalization aid entitlement; amending Section 16.303(a), relating to required local effort for equalization aid entitlement; repealing Section 16.304(b), relating to limitation on payment of State aid; amending Section 11.33(b), relating to funding Regional Education Service Centers for administrative costs; adding Section 11.36, relating to Career Education Program in Texas Public Schools; adding Chapter 14, relating to Accountability; repealing Section 16.103(i), and Section 16.104(m), and declaring an emergency.

HOUSE BILLS ON FIRST READING

The following bills received from the House, were read the first time and referred to the Committee indicated:

H.B. 801, To Committee on Intergovernmental Relations.

H.B. 987, To Committee on Natural Resources.

BILLS AND RESOLUTION SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H.C.R. 9

H.B. 292

H.B. 388

S.B. 30

S.B. 456**SENATE BILL 154 ON SECOND READING**

The President laid before the Senate as unfinished business with an amendment pending:

S.B. 154, A bill to be entitled An Act relating to the penalties for obtaining welfare benefits or certain welfare information by fraudulent means.

Question - Shall the amendment be adopted?

On motion of Senator Meier, the amendment was tabled by the following vote:
Yeas 24, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Sherman, Snelson, Williams.

Nays: Kothmann, Mauzy, Parker, Patman, Schwartz, Truan.

Absent: Traeger.

Senator Truan offered the following amendment to the bill:

Amend S.B. No. 154 by striking all below the enacting clause and substituting the following:

Section 1. Section 34 of The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 34. (a) Whoever obtains, or attempts to obtain, or aids or abets any person to obtain, by means of a wilfully false statement or representation or by impersonation, or by other fraudulent means:

"(1) Assistance, services, or treatment to which he is not entitled;

"(2) Assistance, services, or treatment greater than that to which he is justly entitled;

"(3) Or, with intent to defraud, aids or abets in buying, or in any way disposing of the property of a recipient of assistance without the consent of the State Department, or whoever violates Section 32 or Section 33 of this Act, shall be deemed guilty of an offense ~~[a misdemeanor, and upon conviction thereof, shall be fined any sum not more than One Hundred Dollars (\$100) or be imprisoned for not less than six (6) months, nor more than two (2) years, or be both so fined and imprisoned].~~

"(b) A violation of Section 32 or Section 33 of this Act is a Class B misdemeanor.

"(c) If the value of the assistance, service, treatment, or property obtained or disposed of in violation of this section is:

"(1) less than \$200, an offense under this section is a Class C misdemeanor;

"(2) \$200 or more but less than \$600, an offense under this section is a Class B misdemeanor;

"(3) \$600 or more but less than \$1200, an offense under this section is a Class A misdemeanor; or

"(4) \$1200 or more, an offense under this section is a felony of the third degree."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

(Senator Doggett in Chair)

On motion of Senator Meier the amendment was tabled by the following vote:
Yeas 23, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Santiesteban, Sherman, Snelson, Williams.

Nays: Doggett, Kothmann, Mauzy, Patman, Schwartz, Truan.

Absent: Brooks, Traeger.

The bill was passed to engrossment.

RECORD OF VOTES

Senators Truan and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(President in Chair)

SENATE BILL 154 ON THIRD READING

Senator Meier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 154** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger, Williams.

Nays: Mauzy, Schwartz, Truan.

Absent: Brooks.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Mauzy, Truan.

Absent: Brooks.

SENATE BILL 159 ON SECOND READING

Senator Meier moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 159** be taken up for consideration at this time:

S.B. 159, A bill to be entitled An Act relating to penalties for fraud in medical assistance; amending Section 12, The Medical Assistance Act of 1967, as amended (Article 695j-1, Vernon's Texas Civil Statutes.)

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Truan.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Meier offered the following committee amendment to the bill:

Amend **S.B. 159** by adding a subsection (1) on Page 1 at Line 15 to read as follows:

“(1) Whoever violates Section 10 of this Act, shall be deemed guilty of a Class A misdemeanor.”

The committee amendment was read and was adopted.

On motion of Senator Meier and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Truan asked to be recorded as voting “Nay” on the passage of the bill to engrossment.

SENATE BILL 159 ON THIRD READING

Senator Meier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 159** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Truan.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Truan.

COMMITTEE SUBSTITUTE SENATE BILL 572 ON SECOND READING

Senator Aikin asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

C.S.S.B. 572, Providing a definition of newspaper and magazine; relating to the application of the sales and use tax to newspapers and magazines and to certain property used in the publication and distribution of newspapers and magazines; amending Section (Y) of Article 20.01; amending Section (BB) of Article 20.04, and adding a new Section (FF) by amending Article 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

There was objection.

Senator Aikin then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **C.S.S.B. 572** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Harris, Mauzy, Moore.

Absent: McKnight.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy and Moore asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 572 ON THIRD READING

Senator Aikin moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 572** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Harris, Mauzy, Moore.

Absent: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Mauzy and Moore asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 719 ON SECOND READING

Senator Moore asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 719, Relating to the authority of the State Treasurer to employ security officers and commission peace officers; amending Article 4375, Revised Civil Statutes of Texas, 1925; amending Article 2.12, Code of Criminal Procedure, 1965, as amended.

There was objection.

Senator Moore then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 719** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Williams.

Nays: Clower, Mauzy, Truan.

Absent: McKnight.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 719 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 719** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

Absent: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Mauzy.

Absent: McKnight.

COMMITTEE SUBSTITUTE SENATE BILL 604 ON SECOND READING

On motion of Senator Ogg and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 604, Relating to refunding of certain tuition and fees by institutions of higher education; amending Subchapter A, Chapter 54, Texas Education Code, by adding Section 54.006; and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 604 ON THIRD READING

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 604** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 258 ON SECOND READING

Senator Hance asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 258, Relating to the maximum renewal fee for an optometrist license; amending Subsection (a), Section 4.01, Texas Optometry Act (Article 4552-4.01, Vernon's Texas Civil Statutes).

There was objection.

Senator Hance then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 258** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Mauzy, Schwartz.

Absent: McKnight.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 258 ON THIRD READING

Senator Hance moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 258 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Mauzy.

Absent: McKnight.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Mauzy.

Absent: McKnight.

COMMITTEE SUBSTITUTE SENATE BILL 13 ON SECOND READING

Senator Brooks asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

C.S.S.B. 13, Relating to the creation of state and local charitable deduction committees and the authorization for all state agencies, boards, commissions,

departments, and institutions to accept and process payroll deductions from officers and employees for contributions to certain charitable health and welfare organizations.

There was objection.

Senator Brooks then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **C.S.S.B. 13** for consideration at this time.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Andujar.

Absent: McKnight.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Clower offered the following amendment to the bill:

Amend **C.S.S.B. No. 13** by renumbering Section 10 as Section 11 and adding a new Section 10 to read as follows:

Sec. 10. Article 6826, Revised Civil Statutes of Texas, 1925 (Article 6826, Vernon's Texas Civil Statutes), is amended to read as follows:

"Article 6826. How paid

"Section 1. Annual salaries provided for in this title shall be paid monthly on warrants drawn by the Comptroller on the Treasurer.

Section 2. The Comptroller may establish a procedure by which all or part of a state employee's salary, on that employee's election, may be deposited by the comptroller in a maximum of not more than two accounts and only in depositories of the following type: credit unions, banks and savings and loan associations. The Comptroller may assess of each participating credit union, bank and savings and loan association a fee towards the expense of issuing these drafts as deemed fair and reasonable by the Comptroller.

The amendment was read and was adopted.

RECORD OF VOTE

Senator Andujar asked to be recorded as voting "Nay" on the adoption of the amendment.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTES

Senators Andujar and Ogg asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 13 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 13** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Andujar, Ogg.

Absent: Parker.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Andujar and Ogg asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 332 ON SECOND READING

On motion of Senator Patman and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 332, Relating to biennial reports by the governor on the organization and efficiency of state agencies.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Moore and Aikin asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 332 ON THIRD READING

Senator Patman moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 332** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 2.

Yeas: Adams, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Ogg, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Moore.

Absent: Andujar, Parker, Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Moore and Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

COMMITTEE SUBSTITUTE SENATE BILL 120 ON SECOND READING

On motion of Senator Jones of Harris and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 120, Relating to the establishment of a program for the assistance of persons having hemophilia.

The bill was read second time and was passed to engrossment.

RECORD OF VOTE

Senator Jones of Taylor asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 120 ON THIRD READING

Senator Jones of Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 120** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Creighton, Harris, Jones of Taylor.

Absent: Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 361 ON SECOND READING

Senator Jones of Harris asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 361, Relating to the recognition of money judgments by courts of foreign countries; creating the Uniform Foreign Country Money-Judgments Recognition Act; and declaring an emergency.

There was objection.

Senator Jones of Harris then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 361** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Parker, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Creighton, McKnight, Patman.

Absent: Santiesteban.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Jones of Taylor offered the following amendment to the bill:

Amend **S.B. 361** on page 2 of the Senate Printing by striking the word "may" on line 32 and substituting the word "shall."

The amendment was read and was adopted.

Senator Clower offered the following amendment to the bill:

Amend **S.B. 361** by striking Section 6(b).

The amendment was read and was adopted.

On motion of Senator Jones of Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

RECORD OF VOTE

Senator Creighton asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 361 ON THIRD READING

Senator Jones of Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 361** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Parker, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Creighton, McKnight, Patman.

Absent: Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Hance, Patman, Creighton, and Sherman asked to be recorded as voting "Nay" on the final passage of the bill.

MEMORIAL RESOLUTIONS

H.C.R. 85 (Schwartz): Memorial resolution for Vaughan Watkins "Boo" McLeod.

S.R. 310 - by Farabee: Memorial resolution for J. W. Williams.

S.R. 313 - by Schwartz: Memorial resolution for Vaughan Watkins "Boo" McLeod.

WELCOME AND CONGRATULATORY RESOLUTION

S.R. 311 - by Doggett: Extending welcome to Dr. John Barclay.

ADJOURNMENT

On motion of Senator Schwartz the Senate at 12:22 o'clock p.m. adjourned in memory of Mrs. Alejandra M. Jimenez until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(March 8, 1977)

S.B. 30

S.B. 456

In Memory**of****Mrs. Frances Seale Hart**

Senator Adams offered the following resolution:

(Senate Resolution 312)

WHEREAS, The community of Jasper lost a distinguished and well-loved citizen with the death of Mrs. Frances Seale Hart, on September 14, 1976, at the age of 94; and

WHEREAS, Mrs. Hart was a longtime resident of Jasper and a beloved member of the community; she was active in the Eastern Star and had worked in the Jasper Public Library; and

WHEREAS, She was a dedicated and faithful member of the First Baptist Church of Jasper; she was tireless in her involvement with the youth of the church and gave unselfishly of her time and energy in volunteer service for the young people; and

WHEREAS, Mrs. Hart was a model of devotion to her family: her son, Jack S. Hart, is president of the Citizens Bank and Trust of Calvert, and her daughter, Mrs. Dess Hart Adams, wife of former Jasper County Judge T. Gilbert Adams, is the mother of Senator Don Adams; and

WHEREAS, This exemplary woman will be long remembered for her many deeds of kindness and for her devotion to her church, her community, and her family; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature of the State of Texas pay tribute to the devoted life of service of Mrs. Frances Seale Hart, and extend sympathy on their great loss to the members of her family: to her son, Jack S. Hart of Calvert; her daughter, Mrs. Dess Hart Adams of Jasper; and her two sisters, Mrs. H. N. Gibbs and Mrs. Marvin Hancock, both of Jasper; and, be it further

RESOLVED, That official copies of this resolution be prepared for the members of her family and that when the Texas Senate adjourns this day, it do so in memory of Mrs. Hart.

The resolution was read and was adopted by a rising vote of the Members of the Senate.

On motion of Senator Brooks the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.